

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 21, 2004. Claims 1-11 and 13-17 remain pending in this application. Claims 1 and 13 are the independent claims. Favorable reconsideration is respectfully requested.

In response to the Office Action's objection to Claim 14, Applicant respectfully believes that amendment to Claim 14 renders the objection moot and requests its withdrawal.

On the merits, the Office Action rejected Claims 1-4, 7, 10, 13, and 15 under 35 U.S.C. § 102(e) as being anticipated by Walley et al. (U.S. Patent No. 6,301,287; hereinafter "Walley"). The Office Action also rejected Claims 5-6 under 35 U.S.C. § 103(A) as being unpatentable over Walley in view of Eidson et al. (U.S. Patent No. 6,256,477; hereinafter "Eidson"). The Office Action also rejected Claims 8, 9, 11, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Walley in view of Wu et al. (U.S. Patent No. 6,639,946; hereinafter "Wu"). The Office Action also rejected Claims 12 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Walley in view of Conklin et al. (U.S. Patent No. 6,587,530; hereinafter "Conklin"). The Office Action also rejected Claim 14 under 35 U.S.C. § 103(a) as being unpatentable over Walley in view of Chan et al. (U.S. Patent No. 6,650,264; hereinafter "Chan").

Applicant respectfully traverses the rejections for at least the following reasons:

Walley fails to recite or suggest a first lowpass analog-to-digital converter is directly connected to said amplifier; a second lowpass analog-to-digital converter is directly connected to said amplifier; and a digital signal processor connected to said first and second lowpass analog-to-digital converters. The Office Action contends that Walley's two separate amplifiers 343 I and Q connected to separate A/D converters (See, e.g., Col. 4, lines 55-62 and Fig. 2) can be construed to one in the art as a single amplifier. However, Applicant respectfully believes this contention to be false. Walley samples signal from amplifier 40 and splits it into in-phase and quadrature signals prior to mixers 341 I and Q, filters 342 I and Q, and amplifiers 343 I and Q. Walley's sampling of the signal before reaching A/D inherently necessitates the structure of two mixers, filters, and amplifiers as depicted in Fig. 2. Thus Walley fails to recite or suggest an amplifier connected to two A/D converters to save on power consumption and production cost. Walley expressly teaches away from Applicant's invention which, at least on page 7, paragraph 1 recites: "Instead of including mixers and filters before the sampling of the IF signal as is present in the prior art [(e.g., Walley)], direct sampling permits the sampling of the IF signal without any mixers, analog channel filters, or similar intervening

components." Thus Applicant respectfully traverses the § 102 rejection of Claim 1.

Claim 13 recites a method substantially corresponding to the receiver of Claim 1 and is believed patentable for at least the same reasons. Additionally, Walley at least fails to recite or suggest the limitation of directly sampling the amplified intermediate frequency signal. Rather, Walley does not sample amplified signals from amplifiers 343 I and Q, but rather simply passes through the already sampled (or indirectly sampled) signal. Thus Applicant additionally traverses the rejection of Claim 13 over Walley.


Claims 2-11 and 15-17 depend from one or another of the independent claims discussed above and are believed patentable for at least the same reasons. In addition, Applicant respectfully believes Claims 2-11 and 15-17 to be independently patentable and request separate consideration of each claim. Additionally, Applicant respectfully believes the above remarks render the § 103 rejections of Claims 5, 6, 8, 9, 11, and 16 moot and requests their withdrawal.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached by telephone at the number given below.

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Respectfully submitted,

By 
Aaron Waxler,
Reg. 48,027
(914) 333-9608
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